THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 13002 of 2007

DATE: 09-07-2007

Between :

C.Kesava Reddy

… Petitioner

And

The Joint Collector,
Kadapa, Kadapa District and 2 others.

… Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 13002 of 2007

ORDER:

Petitioner is the authorized dealer of the fair price shop of Kadirivandlapalle village, Chinnamandem Mandal. Aggrieved by the order of cancellation dated 07-05-2007 passed by the Revenue Divisional Officer, Kadapa, the petitioner preferred an appeal before the first respondent-Joint Collector. Alleging that the first respondent failed to consider the appeal and no orders have been passed even on his application for stay, the petitioner had earlier filed W.P.No.10427 of 2007. The said writ petition was disposed of by this Court by order dated 07-06-2007 with a direction to the first respondent to dispose of the application for stay filed by the petitioner within a period of one week. Meanwhile, the first respondent passed an order dated 19-05-2007 rejecting the application for stay and posted the appeal for hearing on 26-05-2007. The said order is under challenge in this writ petition.

Though the learned counsel for the petitioner raised various contentions, since the main appeal is pending before the first respondent, it is neither proper nor necessary for this Court to express any opinion as to the validity of the order of cancellation, dated 07-05-2007. Having regard to the facts and circumstances of the case, I am also unable to hold that the 1st respondent had committed any error in declining to grant stay.

However, having regard to the facts and circumstances, I deem it appropriate to direct the first respondent to dispose of the main appeal itself expeditiously.

Accordingly, the writ petition is disposed of with a direction to the first respondent to dispose of the appeal pending on his file as expeditiously as possible preferably within a period of four weeks from the date of receipt of a copy of this order. No costs.

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G. ROHINI, J.

Date: 09-07-2007

Note: Issue C.C. in three days.

B/o

KLP